

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 05, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

TIMOTHY L.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 4:22-CV-5087-RMP

ORDER GRANTING PARTIES'
STIPULATED MOTION TO REMAND

BEFORE THE COURT is the parties' Stipulated Motion to Remand pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 9. Plaintiff Timothy L.¹ is represented by attorney Chad Hatfield. The Commissioner of Social Security is represented by Special Assistant United States Attorney Heidi Triesch.

After consideration, **IT IS HEREBY ORDERED** that the parties' Stipulated Motion for Remand, **ECF No. 9**, is **GRANTED**. Pursuant to the parties' stipulation,

¹ The Court uses Plaintiff's first name and last initial to protect his privacy.

1 the Commissioner's final decision regarding Plaintiff's application for disability
2 insurance benefits is **reversed and remanded** under sentence four of 42 U.S.C.
3 §405(g). *See* ECF No. 9 at 1–2. On remand, the Administrative Law Judge will
4 reevaluate Plaintiff's subjective symptom complaints; reevaluate the opinion
5 evidence, including the opinions of PA-C Hart; reevaluate Plaintiff's residual
6 functional capacity; and obtain supplemental vocational evidence at step five of the
7 sequential evaluation process. *See id.*

8 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Summary
9 Judgment, **ECF No. 8**, is **DENIED AS MOOT**.

10 Upon proper presentation, this Court will consider Plaintiff's application for
11 costs and attorney's fees under 28 U.S.C. §§ 1920, 2412(d).

12 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
13 Order and provide copies to counsel, enter judgment in favor of Plaintiff, and **close**
14 **the file.**

15 **DATED** December 5, 2022.

16
17 *s/ Rosanna Malouf Peterson*
18 ROSANNA MALOUF PETERSON
19 Senior United States District Judge
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